

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 18, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MARY JEAN D.,

Plaintiff,

-vs-

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,¹

Defendant.

No. 1:19-CV-3083-JAG

ORDER GRANTING MOTION
FOR SUBSTITUTION OF
PARTY

BEFORE THE COURT is Plaintiff's Motion for Substitution of Party. ECF No. 22. Roy Dick, brother of deceased Plaintiff, seeks to substitute as party for the purpose of processing counsel's motion for attorney fees pursuant to 42 U.S.C. § 406(b). Defendant has no objection so long as the substitution is limited to the purpose of seeking attorney fees. Accordingly, the Court grants Plaintiff's motion for the limited purpose of seeking attorney fees. The Court makes no

¹Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi is substituted for Andrew M. Saul as the defendant in this suit. No further action need be taken to continue this suit. *See* 42 U.S.C. § 405(g).

ORDER GRANTING MOTION FOR ATTORNEY FEES
PURSUANT TO 42 U.S.C. § 406(b) - 1

1 determination regarding substitution for the purposes of Plaintiff's Title II or Title
2 XVI claims.

3 Accordingly, Plaintiff's Motion for Substitution of Party, **ECF No. 26**, is
4 **GRANTED** for the purpose of processing D. James Tree's motion for attorney
5 fees.

6 **IT IS SO ORDERED.** The District Court Executive is directed to file this
7 Order and provide copies to counsel.

8 DATED April 18, 2023.




JAMES A. GOEKE
UNITED STATES MAGISTRATE JUDGE